

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

ON-SITE SYSTEMS ADVISORY BOARD
89 Kings Highway, Dover, DE 19901
(302) 739-9948

Monthly Meeting Minutes
For May 7, 2014

Members Present: Byron Jefferson, Lāf Erickson, Dave Schepens, Ken Walsh, Phil King, Matt Brill

Also Present: Mike Schott, Floyd Thompson, Sandra Kennedy

❖ Meeting began at 9:40 a.m.

❖ Property owner complaint (Thompson/Kennedy): The meeting opened with only 4 members present at 9:15 including Dave, Phil, Ken, Byron and two members of the public (Sandra Kennedy and Floyd Thompson). The members of the public were present at their request regarding a complaint of two licensees Lāf Erickson (Class A, D #2460) and Brent Nichols (Class E, H #2073). Ms. Kennedy is the owner of record of the property where the work was performed and Mr. Thompson is a close friend of the owner. Byron explained that there was not a quorum to hold an official meeting but because Ms. Kennedy and Mr. Thompson were present the Board members present would listen to the complaint. Byron read the complaint that was sent to the Board. Mr. Thompson stated that he believes Ms. Kennedy was ripped off by the licensees for a couple of reasons as follows: 1) Lāf charged for an inspection that was not performed as he was not present at the sand lining of the system; 2) Mr. Nichols did not place a clean out on the system, and the system was not staked out causing the system to be moved which caused trees to be taken down. Also not enough sand was delivered to sand line system and fill in cesspool; 3) Mr. Thompson also stated several times that both licensees failed to answer his calls/questions and stated that both when contacted were very rude and used abusive language. At 9:40 Matt entered the meeting; at that time a quorum was reached and the meeting became official. Byron gave recap and Mr. Thompson recapped as well and added that the risers were too high as well in the yard. Regarding the inspection Phil explained to Ms. Kennedy and Mr. Thompson and the Board that there was proof that Lāf did verify the depth to sand line by the letter sent to GWDS and received on March 24 with pictures. Mr. Thompson stated that this could not be because the sand was delivered after that date. Phil explained that it is only the responsibility of the Licensee to verify the depth of the sand lining to be performed not the actual sand lining. Mr. Thompson did not like that answer and went back to the date and permit condition. At 10:20 Lāf entered the meeting. Byron again gave a recap of the complaint before the Board. Mr. Thompson then gave his reasons again for the complaint and a discussion ensued. Ms. Kennedy stated that Lāf, being a board member, should not have a vote regarding his license status which all were in agreement. Mr. Thompson explained that Mr. Nichols cheated on the sand lining as there was not enough sand delivered to sand line the system to 18 inches as well as fill in the septic tank. Phil and Byron both tried to explain that although the sand lining was to start at 18 inches from grade the depth of the sand would be 6 inches with 12 inches of stone and pipe to make up the difference to 18 inches. Mr. Thompson stated at that time he was an inspector and now he does not believe there was 12 inches of stone. It was noted that the system was inspected and passed. Matt explained to Mr. Thompson and Ms. Kennedy that the Board could only make recommendations to the Secretary of DNREC on the status of the licensee (revocation or suspension). Byron explained that the Board could encourage Mr. Nichols to go back and install a clean out on the system. Mr. Thompson stated that he did not want to allow Mr. Nichols back on the property. Byron explained that both Mr. Nichols and Lāf would be invited to the next meeting

to give their account of events. Mr. Thompson and Ms. Kennedy requested that the Board revoke both licenses of the licensees and wanted a copy of the meeting notes. Dave explained the meeting notes are draft until the next meeting and once approved then available to the public. He also requested that he be notified of the next meeting if Mr. Nichols and Mr. Erickson were going to attend and thanked the Board. Matt made a motion to request both licensees be invited to the next meeting to discuss this issue, Ken seconded, all agreed (Lāf abstained from the vote).

- ❖ **Property Owner Complaint (Mike Schott):** Mike Schott attended the Board meeting to represent his parents regarding a previous complaint involving Mr. Dave Austin's (Class B, E, H #2005) work that was discussed at the last Board meeting. Byron read a letter that was submitted to the Board from Mr. Austin at the last meeting to refresh the Board members. Mr. Schott stated that after the last meeting Mr. Austin has not responded to any of the calls made to his office from him or his parents and the system alarm was still going off in the middle of the night which disturbs his neighbors. Open discussion. Byron suggesting that Mr. Schott write a letter to Mr. Austin requesting that Mr. Austin cap off the system's tank to see if there is any rain water entering the tank which should be waterproof. Byron and Matt suggested that this letter be sent certified and a copy forwarded to the Board. Mr. Schott thanked the board. No action was taken at this time on this matter.
- ❖ Matt made a motion to accept the amended agenda items; Ken seconded, all approved.
- ❖ April 2, 2014 Meeting Minutes reviewed; Lāf made a motion to approve; Ken seconded, all approved.

❖ **License Applications:**

<i>Applicant Name</i>	<i>License Type</i>	<i>Approved</i>	<i>Denied</i>	<i>Motion By</i>	<i>2nd By</i>	<i>All In Agreement</i>
Brian Ward	E		X*	Dave	Ken	X
Delvernie Jackson	F	X		Matt	Phil	X
John Allen	F	X		Matt	Phil	X
Terri Bower	F	X		Matt	Phil	X
Mark Norman	F	X		Matt	Phil	X
Gary Freeman	F	X		Matt	Phil	X
Thomas Bredahl	H	X		Phil	Lāf	X

*Incomplete application

- ❖ **Continuing Education Training:**
 - ◆ **Del-Tech Community College:**
 - Climate Change: Preparing for Sea Level rise - (3 hrs) - *Denied (Provide additional info)*
 - Well Grouting Fundamentals - (4 hrs) - *Denied*
 - Pump Fundamentals for Well Drillers - (4 hrs) - *Denied*
 - Well Construction Techniques - (4 hrs) - *Denied*
 - ◆ Carol A. Evans (Class A,B,E,H #2099): Property Transfer Inspections of On-Site Wastewater Treatment Systems and Lessons - (1.5 hrs) - *Approved, all licensees*

- ❖ Enforcement / Compliance:
 - None to date
- ❖ Next scheduled meeting on June 4, 2014
- ❖ Meeting adjourned at 11:30 a.m.

 5/20/14

Prepared By Dave Schepens



Approved By Byron Jefferson

